

1 SEDGWICK, DETERT, MORAN & ARNOLD LLP
2 REBECCA A. HULL Bar No. 99802
3 RYAN L. HARRISON Bar No. 230584
4 ryan.harrison@sdma.com
5 rebecca.hull@sdma.com
6 One Market Plaza
7 Steuart Tower, 8th Floor
8 San Francisco, California 94105
9 Telephone: (415) 781-7900
10 Facsimile: (415) 781-2635

11 Attorneys for Defendants
12 Metropolitan Life Insurance Company and
13 TriNet Group, Inc. and its Subsidiaries Welfare Plan

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA

16 THUYTIEN DO,

17 Plaintiff,

18 v.

19 METROPOLITAN LIFE INSURANCE
20 COMPANY; TRINET GROUP, INC.
21 AND ITS SUBSIDIARIES WELFARE
22 PLAN,

23 Defendants.

CASE NO. CV 09-1505 MMC

**STIPULATION AND ~~[PROPOSED]~~
ORDER EXTENDING THE ADR
DEADLINE**

24 Plaintiff Thuytien Do (“plaintiff”) and defendants Metropolitan Life Insurance Company
25 (“MetLife”), TriNet Group, Inc. and its Subsidiaries Welfare Plan (“Plan”), by and through their
26 respective counsel of record, hereby submit this stipulation and proposed order to extend the time
27 for completion of ADR procedures to and including December 18, 2009.

28 Good cause exists for the requested extension. The parties were scheduled for a
mediation with Robert Schwartz, Esq., through the Court’s ADR program, which had been to
take place on October 23, 2009. Counsel for MetLife and the Plan, however, learned after the
mediation date was scheduled that a hearing had been set in another matter, which conflicts with
the scheduled mediation date, and which requires the personal attendance of the lead attorney for

defendants in this matter.¹ As such, the mediation date must be reset, but it is not possible for it to be set in the near future. Moreover, the parties have been engaged in meaningful settlement discussions and believe resolution may be possible within the next 60 days even without the assistance of the assigned mediator.

The parties are hopeful that the matter will be resolved within the proposed extended deadline, given that they are currently in discussions for possible resolution even without the assistance of the assigned mediator. Should that prove not to be a fruitful exercise, however, the parties will undertake to mediate the matter within the proposed extended deadline.

IT IS SO STIPULATED.

DATED: October 22, 2009 SEDGWICK, DETERT, MORAN & ARNOLD LLP

By: /s/ Rebecca A. Hull
 Rebecca A. Hull
 Ryan L. Harrison
 Attorneys for Defendants
 METROPOLITAN LIFE INSURANCE COMPANY;
 GMAC MORTGAGE GROUP LONG TERM
 DISABILITY PLAN

DATED: October 22, 2009 KANTOR & KANTOR, LLP

By: /s/ Alan E. Kassan (as authorized 10/22/09)
 Alan E. Kassan
 Attorneys for Plaintiff
 THUYTIEN DO

ORDER

Pursuant to the Stipulation above, and good cause appearing therefor, the parties are ordered and directed to participate in mediation with the assistance of a mediator from the Court Appointed Panel, on or before December 18, 2009.

IT IS SO ORDERED.

Dated: November 3, 2009


 UNITED STATES DISTRICT COURT JUDGE

¹ Although a more junior attorney also is counsel of record for defendants, he relocated to defense counsel's Austin, Texas, office a few weeks ago and is not available to attend the mediation.